

**DECLARATION OF OIL AND GAS NOTICE**

BOOK **677** PAGE **417**

(Tax Map 14, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY

McELROY COAL COMPANY

CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **DENNIS R. McCRACKEN**, its ASST. MANAGER, by authority duly given.

JAN PEST  
MARSHALL County 09:29:17 AM  
Instrument No 1265138  
Date Recorded 03/04/2009  
Document Type O&G  
Book-Page 677-417  
Recording Fee \$6.00  
Additional \$6.00

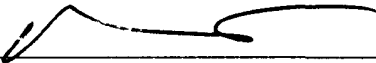
CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By: 

Its: ASSISTANT MANAGER

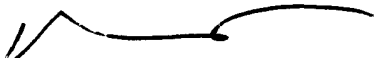
IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

CONSOLIDATION COAL COMPANY  
a Delaware corporation:

By:   
Its: **VICE PRESIDENT**

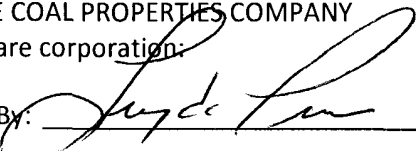
IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC  
a Delaware limited liability company:

By:   
Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY  
a Delaware corporation:

By:   
Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 15 day of January, 2009, by Charles T. Shaynak, its Vice President, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: Charles T. Shaynak

Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by LLOYD C. PRICE, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: Lloyd C. Price

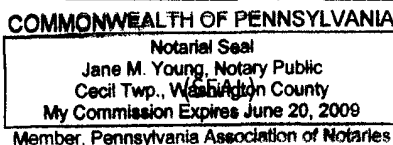
Its: VICE PRESIDENT

**NOTE:** PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared DENNIS B. McCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



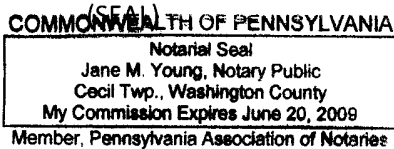
Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

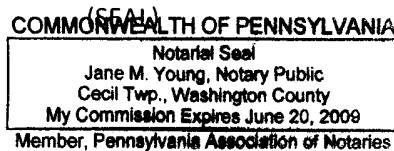


Jane M. Young  
Notary Public  
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

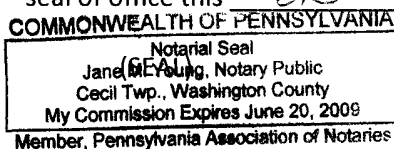


Jane M. Young  
Notary Public  
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared LLOYD C. PRICE, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



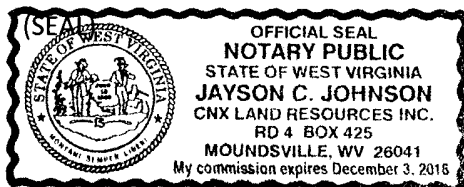
Jane M. Young  
Notary Public  
My Commission expires \_\_\_\_\_

State of West Virginia  
COMMONWEALTH OF PENNSYLVANIA

BOOK 677 PAGE 421

COUNTY OF Marshall

Before me, Jayson C. Johnson, a Notary Public, on this day personally appeared Charles T. Shaymak, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 15 day of January, 2009.



Jayson C. Johnson  
Notary Public

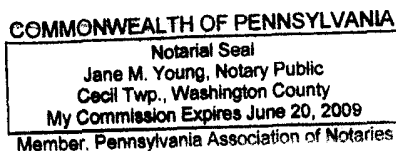
My Commission expires December 3, 2018

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE H. YOUNG, a Notary Public, on this day personally appeared **LLOYD C. PRICE**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

(SEAL)



Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

This Document Prepared By:

J. Kevin Ellis

WV Bar No. 9964

Steptoe & Johnson PLLC

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PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

MO5011519

MOS011536

EXHIBIT A - SURFACE TRACTS (BAILEY MINE)  
Tax Map 14, Webster District, Marshall County, West Virginia

| Tax Map | Parcel | Last Name   | First Name               | Street Address | City     | State | Zip   | Assessment Description                  | Reference |
|---------|--------|-------------|--------------------------|----------------|----------|-------|-------|-----------------------------------------|-----------|
| 14      | 1      | CONNER      | ROBERT E ET UX           | RR 4 BOX 356   | CAMERON  | WV    | 26033 | 30.79 PLEASANT VALLEY                   | 544/541   |
| 14      | 2      | CONNER      | ROBERT E ET UX           | RR 4 BOX 356   | CAMERON  | WV    | 26033 | 40.11 PLEASANT VALLEY                   | 544/541   |
| 14      | 3      | BARTOLOVICH | JOSEPH JR ET UX          | RR 4 BOX 357   | CAMERON  | WV    | 26033 | 80 A 35 FOLES PLEASANT VALLEY & 1/2 O&G | 385/176   |
| 14      | 4      | CLARK       | FLOYD R                  | RR 4 BOX 358   | CAMERON  | WV    | 26033 | 67.179 WAYNESBURG ROAD                  | 658/531   |
| 14      | 6      | KEYSER      | ROGER                    | RR 4 BOX 367   | CAMERON  | WV    | 26033 | 82.868 WAYNESBURG ROAD                  | WB72/161  |
| 14      | 7      | MAGERS      | DAVID LEE                | 216 WHITES LN  | WHEELING | WV    | 26003 | 19.92 A GRAVE CREEK                     | 657/104   |
| 14      | 7.4    | YOCUM       | CLIFTON E SR & SONDR A J | RD 4 BOX 215   | CAMERON  | WV    | 26033 | 25.804 A GRAVE CREEK                    | 650/75    |
| 14      | 7.5    | MAGERS      | DAVID LEE                | 216 WHITES LN  | WHEELING | WV    | 26003 | 8.24 A GRAVE CREEK                      | 657/104   |
| 14      | 7.6    | MAGERS      | DAVID LEE                | 216 WHITES LN  | WHEELING | WV    | 26003 | 37.57 A GRAVE CREEK                     | 657/104   |
| 14      | 8      | BEHRENS     | THERESA L                | RR 4 BOX 214   | CAMERON  | WV    | 26033 | 60 M GRAVE CREEK AND O&G                | WB75/181  |
| 14      | 9      | YOCUM       | CLIFTON E SR & SONDR A J | RR 4 BOX 215   | CAMERON  | WV    | 26033 | 8.059 GRAVE CREEK                       | 582/578   |
| 14      | 9.1    | YOCUM       | SONDR A J & CLIFTON E SR | RR 4 BOX 215   | CAMERON  | WV    | 26033 | 6.609 GRAVE CREEK                       | 584/384   |
| 14      | 9.2    | RUTHERFORD  | DAVID ET UX              | RR 4 BOX 214A  | CAMERON  | WV    | 26033 | 10 A GRAVE CREEK                        | 497/560   |
| 14      | 9.5    | RUTHERFORD  | DAVID J ET UX            | RR 4 BOX 214A  | CAMERON  | WV    | 26033 | 33.372 A GRAVE CREEK                    | 549/164   |
| 14      | 10     | HAMMEL      | JAMES F ET UX            | RR 4 BOX 379   | CAMERON  | WV    | 26033 | 65.165 WAYNESBURG ROAD & O&G            | WB40/508  |
| 14      | 16     | WISEMAN     | MARTHA LAVERN            | RR 4 BOX 376   | CAMERON  | WV    | 26033 | 54.313 PLEASANT VALLEY & O&G            | 383/404   |
| 14      | 18     | HAMMEL      | LISA                     | RR 4 BOX 378   | CAMERON  | WV    | 26033 | 6.375 WAYNESBURG ROAD                   | 664/301   |
| 14      | 19     | HAMMEL      | JAMES F ET UX            | RR 4 BOX 379   | CAMERON  | WV    | 26033 | 78.80 WAYNESBURG ROAD & O&G             | 382/555   |
| 14      | 20     | KITTLE      | WILLIAM B ET UX          | RR 4 BOX 227   | CAMERON  | WV    | 26033 | 34.449 WAYNESBURG ROAD                  | 654/68    |
| 14      | 20.1   | HAMMEL      | JAMES F ET UX            | RR 4 BOX 379   | CAMERON  | WV    | 26033 | 11.701 WAYNESBURG ROAD & O&G            | 382/555   |
| 14      | 21     | BUTLER      | DAVID N & CONNIE L       | RR 4 BOX 218   | CAMERON  | WV    | 26033 | 31.938 WAYNESBURG ROAD                  | 626/474   |
| 14      | 22.3   | BUTLER      | DAVID N & CONNIE L       | RR 4 BOX 218   | CAMERON  | WV    | 26033 | 64.122 WAYNESBURG ROAD                  | 626/474   |
| 14      | 23     | SHOOK       | KELLY                    | RR 4 BOX 213   | CAMERON  | WV    | 26033 | 8.9686 WAYNESBURG ROAD                  | 558/701   |
| 14      | 25     | BUTLER      | DENZIL & VICTOR L        | RR 4 BOX 210   | CAMERON  | WV    | 26033 | 91.059 A BEELERS STATION                | 635/492   |
| 14      | 25.2   | KNOX        | STACY J ET UX            | RR 4 BOX 212   | CAMERON  | WV    | 26033 | 5.457 A BEELERS STATION                 | 407/292   |
| 14      | 30     | BUTLER      | DENZIL R & VICTOR L      | RR 4 BOX 210   | CAMERON  | WV    | 26033 | 55.432 A BEELER STATION                 | 635/492   |
| 14      | 32     | JACKSON     | THOMAS W & ANGELA K      | RR 4 BOX 203   | CAMERON  | WV    | 26033 | 36.976 A BEELER STATION                 | 658/16    |

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 23rd day of January, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 4th day of March, 2009 at 9:29 o'clock PM.

TESTE: Jan Pest Clerk.